

REMARKS

Applicants respectfully traverse the rejection of claims 1 – 3, 15, 17, 18, and 22 over the Morito reference (USP 6,782,190). In that regard, consider the context of where Applicants' method of detecting unauthorized actions originates. Applicants have developed a RAM/ROM disk that may have mastered content in the ROM section. An example of mastered content would be that found on a DVD: it is impressed into the DVD's substrate during manufacture. In contrast, the Morito's "ROM" section is simply a laser-scribed bar code that encodes a disk identification number.

This difference between a Morito disk and Applicants' disk leads to the following: In contrast to a user of a Morito disk, a user of the Applicants' disk may copy ROM mastered content from one disk to the RAM area of another disk. However, the RAM area would then be containing a ROM identifier such that the player may detect the copy as unauthorized. Claim 1 reflects this advantageous result by including the act of "reading an identifier on the optical disk; determining whether the identifier was located in the read-only or the writeable portion of the media disk; determining whether the identifier identifies itself as a pre-recorded identifier or as a written identifier; and if the identifier identifies itself as a pre-recorded identifier and is located in the writeable portion of the media disk, detecting an unauthorized action."

Morito stands in sharp contrast. A user would not want copies content from the "ROM" portion of the Morito disk, the ROM portion is simply a laser-scribed ID code. However, Morito uses the ROM ID code during disk mastering as set forth in Col. 5, lines 56 – Col. 6, line 14 with regard to Figure 7. The ROM ID code (which Morito denotes as a disk identifier  $S_d$ ) is read and written along with the desired content to the

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RAM area of a Morito disk in step S12. Morito denotes the ROM ID written to the RAM area as "S<sub>p</sub>." A disk reader reading this disk may then compare S<sub>p</sub> to S<sub>d</sub>. If they are not the same, an unauthorized copy is detected. But note that Morito in no way suggests or teaches the step of examining a RAM area for a ROM identifier. The RAM ID used in a Morito disk is always of the class "S<sub>p</sub>." It is never of the class "S<sub>d</sub>." All that Morito teaches is comparing the RAM ID to the ROM ID. That is all. Morito never teaches or suggests the detection of ROM ID in the RAM area. The reason Morito does not is because a Morito disk user would never copy ROM content, he/she has no ROM content to read or access, just the laser-scribed bar code, which is not content a hacker has any interest in per se: it does not relate to the video/audio copyrighted mastered content that hackers are constantly downloading or otherwise getting inappropriate access to.

Accordingly, claim 1 and its dependent claims are plainly allowable over the Morito reference. Claim 15 is allowable for analogous reasons over the Morito reference. Claim 22 has been amended to address an informality and is also allowable for analogous reason over the Morito reference.

Because the Ram reference (USP 6,519,700) does nothing to cure the infirmities of the Morito reference, the pending claims are allowable over the cited prior art.

Although Applicants do not acquiesce to the finding that the limitations of claims 9 and 21 are irrelevant to patentability, the point is moot since their parent claims are allowable over the Morito reference.

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**CONCLUSION**

For the foregoing reasons, pending claims 1, 2, 3, 9, 15, 17, 18, 21, and 22 are in condition for allowance.

If there are any questions regarding any aspect of the application, please call the undersigned at 949-752-7040.

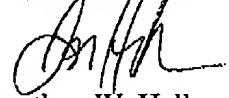
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